

REMARKSRECEIVED
CENTRAL FAX CENTER**I. Claim 18-40 are Allowable**

NOV 28 2007

The Office has rejected claims 18-40 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejections.

The Action states that “[t]he meaning of the specification are not the same meaning in claim limitation and unclear; for example ‘to transmit vector information related to the user zone’ as describe above.” *See Action*, paragraph 2. However, the “user zone” referred to in the claims is clearly described by the Specification and shown in Figures 2-4. For example, the Specification describes the user zone as follows:

This vector information is then transmitted to the network controller such as the MSC 30 which processes the vector information to connect the points A, B, C, D, and E together, using line segments, thereby defining a geographical area for the temporary user zone. ... For example, the user may select a simple radius of service from the present location 42 defining a circle of service with a radius for the user zone. Alternatively, or in addition, the user may define points on a map creating a polygon service area like that shown in Figure 3.

See Specification, page 6, lines 22-27; page 8, lines 18-23.

Accordingly, the subject matter of the claims is described in the Specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Hence claims 18-40 are allowable.

II. Claims 18-30 are Allowable

The Office has rejected claims 18-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0182052 (“*DeLorme*”) in view of U.S. Patent No. 5,903,832 (“*Seppanen*”). Applicants respectfully traverse the rejections.

None of the cited references, including *DeLorme* and *Seppanen*, disclose or suggest the specific combination of claim 18. For example, *DeLorme* does not suggest “to receive user inputs to define a user zone”, as recited in claim 18. Instead, *DeLorme* discloses “selecting

points of interest (POIs)" and does not disclose to "define a user zone", as recited in claim 18. See *DeLorme*, Figure 1A, paragraphs 0049-0050. Further, *DeLorme* does not suggest "the user zone comprising a desired area of operation to subscribe to wireless service options" as recited in claim 18 and as acknowledged by the Office. Moreover, *Seppanen* does not disclose this element of claim 18. Instead, *Seppanen* discloses a user selecting a cellular telephone network from a list of available networks in the area based either on the name of the network or based on the services (e.g. data, short message service) offered by the network. See *Seppanen*, col. 7, lines 54-64 and col. 8, lines 54-65). *Seppanen* does not disclose or suggest receiving user inputs to define a desired area of operation to subscribe to wireless service options, as recited in claim 18.

Still further, *DeLorme* does not disclose or suggest "wherein the mobile terminal is adapted to transmit vector information related to the user zone to a network controller within said wireless communication system", as recited in claim 18. The Office asserts that this feature is disclosed by paragraphs 0044, 0049-0050, and 0065 of *DeLorme*. Instead, *DeLorme* discloses a "PDA device is configured to display directions, text and map formats, the user's current position, heading, speed elevation, and so forth." See *DeLorme* Abstract. The data that is transferred from the PDA of *DeLorme* is information that has been recorded on the PDA that is "brought back to and then transferred into the desktop 105 via the data transfer interface 106." See *DeLorme*, paragraph 43; Figure 1A. *DeLorme* does not disclose "to transmit vector information related to the user zone", as recited in claim 18. Therefore, *DeLorme* and *Seppanen*, separately or in combination, do not disclose or suggest each and every element of claim 18. Hence, claim 18 is allowable.

Claims 19-30 depend from claim 18, which Applicants have shown to be allowable. Hence, *DeLorme* and *Seppanen* fail to disclose at least one element of each of claims 19-30. Accordingly, claims 19-30 are also allowable, at least by virtue of their dependency from claim 18. Further, the dependent claims disclose additional features not disclosed by the cited references. For example, *DeLorme* does not disclose that the "vector information comprises at least one radius vector with respect to said mobile terminal location", as recited in claim 20. Instead, *DeLorme* discloses that the vector data is a route. See *DeLorme*, paragraph 65, Figure 1A2 (35, 36). Further, *DeLorme* does not disclose that the "location information is received at

said mobile terminal from said wireless communication system", as recited in claim 23. Rather, *DeLorme* receives location information from receiving signals from GPS satellites to calculate location. *See DeLorme*, paragraph 0013. Still further, *DeLorme* does not disclose the "user inputs define at least one user selected vector that represents a radius defining a circle about said mobile terminal", as recited in claim 28. Instead, *DeLorme* discloses that the vector data is a route. *See DeLorme*, paragraph 65, Figure 1A2 (35, 36). For these additional reasons, claims 19-30 are allowable.

III. Claims 31-33 and 36-40 are Allowable

The Office has rejected claims 31-33 and 36-40 under 35 U.S.C. § 103(a) as being unpatentable over *DeLorme* in view of U.S. Patent Application Publication No. 2006/0116507 ("*Oppermann*"). Applicants respectfully traverse the rejections.

None of the cited references, including *DeLorme* and *Oppermann*, disclose or suggest the specific combination of claim 31. For example, the Office acknowledges that *DeLorme* does not suggest "defining a desired area with respect to the location in response to the user interaction; transmitting information related to the desired area to at least one wireless communication service provider; and receiving from at least one wireless communication service provider wireless communication services within said desired area", as recited in claim 31. Moreover, *Oppermann* does not disclose this element of claim 31. Instead, *Oppermann* discloses automatically scanning without user interaction for visible service providers whose wireless networks are currently within range of the device. *See Oppermann*, paragraph 0012. *Oppermann* does not disclose or suggest "defining a desired area with respect to the location in response to the user interaction", as recited in claim 31. Therefore, *DeLorme* and *Oppermann*, separately or in combination, do not disclose or suggest each and every element of claim 31. Hence, claim 31 is allowable.

Claims 32-33 and 36-37 ultimately depend from claim 31, which Applicants have shown to be allowable. Hence, *DeLorme* and *Oppermann* fail to disclose at least one element of each of claims 32-33 and 36-37. Accordingly, claims 32-33 and 36-37 are also allowable, at least by virtue of their dependency from claim 31. Further, the dependent claims disclose additional

features not disclosed by the cited references. For example, *DeLorme* does not disclose “defining a desired area includes referencing at least one user selected vector representing a radius defining a circle of service from the location of the mobile terminal”, as recited in claim 33. Instead, *DeLorme* discloses that the vector data is a route. *See DeLorme*, paragraph 65, Figure 1A2 (35, 36). For these additional reasons, claims 32-33 and 36-37 are allowable.

None of the cited references, including *DeLorme* and *Oppermann*, disclose or suggest the specific combination of claim 38. For example, the Office apparently acknowledges that *DeLorme* does not suggest “a graphical user interface to display location information and to receive user inputs to select a desired user zone of service; a transceiver to transmit information related to the desired user zone of service to one or more wireless service providers and to receive one or more responses from one or more wireless service providers; wherein the graphical user interface is adapted to display upon user selection the one or more responses to subscribe to a selected one of the one or more wireless service providers”, as recited in claim 38. Moreover, *Oppermann* does not disclose these elements of claim 38. Instead, *Oppermann* discloses automatically scanning without user interaction for visible service providers whose wireless networks are currently within range of the device. *See Oppermann*, paragraph 0012. *Oppermann* does not disclose or suggest “to receive user inputs to select a desired user zone of service”, as recited in claim 38. Therefore, *DeLorme* and *Oppermann*, separately or in combination, do not disclose or suggest each and every element of claim 38. Hence, claim 38 is allowable.

Claims 39 and 40 depend from claim 38, which Applicants have shown to be allowable. Hence, *DeLorme* and *Oppermann* fail to disclose at least one element of each of claims 39 and 40. Accordingly, claims 39 and 40 are also allowable, at least by virtue of their dependency from claim 38. Further, the dependent claims disclose additional features not disclosed by the cited references. For example, *Opperman* does not disclose that “the defined user zone is independent from a location of the communications device” as recited in claim 40. Instead, *Oppermann* discloses scanning for visible service providers whose wireless networks are currently within range of the device. *See Oppermann*, paragraph 0012. *Oppermann* does not disclose or suggest that “the defined user zone is independent from a location of the

NOV. 28. 2007 11:12AM

TOLER SCHAFER

RECEIVED
CENTRAL FAX CENTER

NO. 439 P. 8

NOV 28 2007

Attorney Docket No.: 1033-A00498-C1

communications device" as recited in claim 40. Therefore, *DeLorme* and *Oppermann*, separately or in combination, do not disclose or suggest each and every element of claim 40. Hence, claim 40 is allowable.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the reference applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

11-17-2007
Date


Jeffrey G. Toler, Reg. No. 38,342
Attorney for Applicant(s)
Toler Law Group, Intellectual Properties
8500 Bluffstone Cove, Suite A201
Austin, Texas 78759
(512) 327-5515 (phone)
(512) 327-5575 (fax)